

REMARKS

Applicants submit this Preliminary Amendment in advance of a first Office Action on the merits. Claims 1-15, 17, 22 and 27 have been cancelled without prejudice or disclaimer. Applicant reserves the right to prosecute the subject matter of the cancelled claims in a timely filed continuation or continuation-in-part application.

Claims 16 and 21 have been amended to include the R1 substituents and the proviso recited in cancelled claims 17 and 22. Support for this amendment can be found, for example, on page 3, lines 30-31 and in the claims as filed.

Claims 18-20 have been amended to remove multiple dependencies.

Claims 23 and 25 have been amended to correct typographical errors.

Claims 24 and 26 have been amended to be dependent on claims 23 and 25, respectively.

New claims 28 and 79 have been added to claim additional embodiments of the invention. Support for these claims can be found throughout the specification as filed as outlined below.

New claim 28 is directed to a method for the treatment or prevention of a microbial infection comprising administering an effective amount of the compounds of the invention. Support can be found throughout the specification, for example, at page 4, lines 10 to 14, and in the Examples.

New claims 29 and 30 further define the microbial infection as a bacterial or fungal infection, respectively. Support can be found, for example, at page 45, line 30 to page 46, line 10, and at page 46, line 26 to page 47, line 6.

New claims 31 to 36 claim additional embodiments of the invention relating to drug-resistant bacteria. Support can be found, for example, at page 45, lines 17 to 28, and in Example 30.

New claims 37 to 39 and 44 to 45 claim additional embodiments of the invention relating to liposomal formulations. Support can be found, for example, at page 49, line 28 to page 50, line 5.

New claims 40 to 43 are directed to pharmaceutical compositions comprising a compound of the invention. Support can be found, for example, at page 49, line 6 to page 53,

line 17.

New claims 46 to 57 are dependent claims that recite additional embodiments of the invention. Support for these claims can be found, for example, at page 44, line 26 to page 49, line 2.

New claims 58 to 79 are dependent claims that further define the recited compounds. Support for these claims can be found, for example, at pages 4 to 8 and 25 to 32.

It is believed no fees are due. However, in the event that any fees are required for the filing of this document, the Commissioner is authorized to charge our Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted

A handwritten signature in cursive script, reading "Michael B. Harlin". The signature is written in dark ink and is positioned above a horizontal line.

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